

Department of Justice
Federal Bureau of Investigation

Monday
May 13, 1996

Part XXIV

Federal Emergency Management Agency

Semiannual Regulatory Agenda

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**FEDERAL EMERGENCY
MANAGEMENT AGENCY****44 CFR Ch. I****Unified Regulatory Agenda**

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Semiannual regulatory agenda.

SUMMARY: The Federal Emergency Management Agency publishes its regulatory agenda in April and October to inform interested parties of progress on FEMA regulations. The agenda lists regulations that we expect to develop or review during the period April 1, 1996, to September 30, 1996.

ADDRESSES: For information about specific regulations, please contact the person listed as the agency contact in the agenda.

FOR FURTHER INFORMATION CONTACT: For general information on FEMA's regulatory agenda, contact H. Crane Miller, Office of the General Counsel, Federal Emergency Management

Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3340.

SUPPLEMENTARY INFORMATION: Executive Order 12866 "Regulatory Planning and Review" directs each executive agency to publish only such regulations as are required by law, are necessary to interpret the law, or are made necessary by compelling public need. Publication of an agenda of regulations is called for semiannually in order to give the public adequate notice of agency rulemaking activities; also, publication of a regulatory agenda concerning rules likely to be significant regulatory actions must be published.

In fulfillment of the requirements of Executive Order 12866, this agenda describes current and projected regulatory actions and rules that we expect to develop or review during the period April 1, 1996, to September 30, 1996. This agenda also contains information on regulations completed or withdrawn since the last FEMA regulatory agenda was published Tuesday, November 28, 1995, 60 FR 60726 to 60730.

Public comment on the agenda, including comments by State and local governments, is invited and should be submitted to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472; FAX (202) 646-4536. Please refer to the title and the Regulation Identifier Number (RIN) of the rule about which you are inquiring or commenting.

The agenda is not limited to significant regulatory actions and contains information concerning FEMA regulations to be developed, reviewed, or published in the next 6 months except for routine flood elevation determinations, listings of eligible communities under the National Flood Insurance Program and the National Crime Insurance Program, listings of suspended communities and similar designations under the National Flood Insurance Program, and FEMA organizational and management matters.

Dated: March 22, 1996.

Spence W. Perry,
Acting General Counsel.

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3565	National Flood Insurance Program; Audit Program Revision	3067-AC40

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3566	FEMA; Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	3067-AC08
3567	Disaster Assistance; Public Assistance Eligibility	3067-AC12
3568	Establish Flood Insurance Rate Zone AR	3067-AC17
3569	Enforcement of Nondiscrimination on the Basis of Disability in Programs Receiving Federal Financial Assistance	3067-AC18
3570	National Flood Insurance Program; Assistance to Private-Sector Property Insurers	3067-AC26
3571	Group Flood Insurance Policy for Individual and Family Grant Program	3067-AC35
3572	Disaster Assistance; Restoration of Damaged Facilities	3067-AC36
3573	Flood Mitigation Assistance Program	3067-AC45
3574	Disaster Assistance; Hazard Mitigation	3067-AC46

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3575	National Defense Executive Reserve Guidance	3067-AB51
3576	Environmental Considerations/Categorical Exclusions (CATEX)	3067-AC21
3577	Disaster Assistance; Individual and Family Grant Program	3067-AC28

FEMA**Completed Actions (Continued)**

Sequence Number	Title	Regulation Identifier Number
3578	Review of Determinations Regarding Required Purchase of Flood Insurance	3067-AC38
3579	Exemption from Garnishment for Temporary Housing Assistance	3067-AC39
3580	Environmental Considerations/Categorical Exclusions	3067-AC41
3581	National Flood Insurance Program; Insurance Rates	3067-AC42
3582	Flood Mitigation Assistance Program	3067-AC44

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**Final Rule Stage****3565. NATIONAL FLOOD INSURANCE PROGRAM; AUDIT PROGRAM REVISION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 4081**CFR Citation:** 44 CFR 62**Legal Deadline:** None**Abstract:** Revises manner in which FEMA's audits are conducted under the

National Flood Insurance Program's Write Your Own Program.

Timetable:

Action	Date	FR Cite
NPRM	02/01/96	61 FR 3635
NPRM Comment Period End	03/18/96	
Final Action	06/00/96	

Small Entities Affected: Businesses**Government Levels Affected:** None**Agency Contact:** Roland E. Holland, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472

Phone: 202 646-3439

RIN: 3067-AC40**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)****Long-Term Actions****3566. FEMA; UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 1111; 31 USC 503**CFR Citation:** 44 CFR 13**Legal Deadline:** None**Abstract:** FEMA proposes to adopt revisions to "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," previously published at 53 FR 8078, 3/11/88, 44 CFR 13.**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

Small Entities Affected: None**Government Levels Affected:** State, Local**Agency Contact:** Charles F. McNulty, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472

Phone: 202 646-2976

RIN: 3067-AC08**3567. DISASTER ASSISTANCE; PUBLIC ASSISTANCE ELIGIBILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 5121 et seq**CFR Citation:** 44 CFR 206**Legal Deadline:** None**Abstract:** This proposed rule would remove permanent beach and related restoration work that occurs within coastal high hazard areas from eligibility for funding under the Stafford Act, 42 USC 5121 et seq, as amended.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Greg Ormsby, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472

Phone: 202 646-3684

RIN: 3067-AC12**3568. ESTABLISH FLOOD INSURANCE RATE ZONE AR****Priority:** Other Significant**Legal Authority:** 42 USC 4002; EO 12127**CFR Citation:** 44 CFR 59; 44 CFR 60; 44 CFR 61; 44 CFR 65**Legal Deadline:** NPRM, Statutory, October 28, 1994.**Abstract:** This rule would establish criteria for determining a community's eligibility for Zone AR designation (areas of special flood hazard resulting from the disaccreditation of a flood protection system that was previously credited with providing 100-year flood protection) and for mapping special flood hazard areas as Zone AR. The rule would also establish flood insurance rates and floodplain management requirements to be applied in areas designated as Zone AR.

FEMA

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	04/01/94	59 FR 15351
NPRM Comment Period End	05/16/94	
Interim Final Rule	10/25/94	59 FR 53592
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: Local

Agency Contact: William R. Locke, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472
Phone: 202 646-2717

RIN: 3067-AC17

3569. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS RECEIVING FEDERAL FINANCIAL ASSISTANCE

Priority: Substantive, Nonsignificant

Legal Authority: 29 USC 794

CFR Citation: 44 CFR 7

Legal Deadline: None

Abstract: This proposed rule would require all recipients of Federal financial assistance from the Federal Emergency Management Agency to ensure nondiscrimination against qualified individuals with disabilities in all FEMA programs and activities. It would establish standards for what constitutes discrimination on the basis of mental or physical disability, define "individual with disabilities" and "qualified individual with disabilities," and would establish a complaint mechanism for resolving allegations of discrimination.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Alan Clive, Equal Rights Officer, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472
Phone: 202 646-3957

RIN: 3067-AC18

3570. NATIONAL FLOOD INSURANCE PROGRAM; ASSISTANCE TO PRIVATE-SECTOR PROPERTY INSURERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 5102

CFR Citation: 44 CFR 62

Legal Deadline: None

Abstract: This interim final rule amends the interim final rule, National Flood Insurance Program, Assistance to Private Sector Property Insurers, published at 59 FR 26965 on 5/23/94.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/29/94	59 FR 38571
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles M. Plaxico, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472
Phone: 202 646-3422

RIN: 3067-AC26

3571. GROUP FLOOD INSURANCE POLICY FOR INDIVIDUAL AND FAMILY GRANT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 5174; 42 USC 5178

CFR Citation: 44 CFR 206

Legal Deadline: None

Abstract: This rule establishes a Group Flood Insurance Policy to be issued by the National Flood Insurance Program when Federal disaster assistance for flood damage to real or personal property, or both, is provided under the Individual and Family Grant Program following a major disaster declaration by the President.

Timetable:

Action	Date	FR Cite
NPRM	03/15/95	60 FR 13945
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Laurence W. Zensinger, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472
Phone: 202 646-4262

RIN: 3067-AC35

3572. DISASTER ASSISTANCE; RESTORATION OF DAMAGED FACILITIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 5121 et seq; 42 USC 5172

CFR Citation: 44 CFR 206

Legal Deadline: None

Abstract: This rule would limit to 60 days after a disaster the period during which a community may adopt more stringent building codes and standards than existed before the disaster and under which FEMA will pay for restoration of damaged facilities.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Craig S. Wingo, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472

Phone: 202 646-3026

RIN: 3067-AC36

3573. • FLOOD MITIGATION ASSISTANCE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4104c; 42 USC 4104d

CFR Citation: 44 CFR 78

Legal Deadline: None

Abstract: This interim final rule implements secs. 553 and 554 of the National Flood Insurance Reform Act of 1994 to provide grants under the National Flood Mitigation Fund to States and communities for planning assistance and for mitigation projects that reduce the risk of flood damages to structures covered under contracts for flood insurance.

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal

Agency Contact: Donna M. Dannels, Federal Emergency Management

FEMA

Long-Term Actions

Agency, 500 C Street SW., Washington
DC 20472

Phone: 202 646-3662

Fax: 202 646-3104

RIN: 3067-AC45

3574. • DISASTER ASSISTANCE; HAZARD MITIGATION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 5170c

CFR Citation: 44 CFR 206

Legal Deadline: None

Abstract: This proposed rule would streamline and improve implementation of the Hazard Mitigation Grant Program under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. It would clarify program eligibility, simplify program administration, and allow States the maximum flexibility under current law.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal

Agency Contact: Donna M. Dannels,
Federal Emergency Management
Agency, 500 C Street SW., Washington,
DC 20472

Phone: 202 646-3662

Fax: 202 646-3104

RIN: 3067-AC46

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Completed Actions

3575. NATIONAL DEFENSE EXECUTIVE RESERVE GUIDANCE

Priority: Substantive, Nonsignificant

CFR Citation: 44 CFR 337

Completed:

Reason	Date	FR Cite
Withdrawn	02/28/96	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Linda Matticks
Phone: 202 646-2703

RIN: 3067-AB51

Completed:

Reason	Date	FR Cite
Withdrawn - Same as 3067-AC35	03/15/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Laurence W.
Zensinger
Phone: 202 646-4262

RIN: 3067-AC28

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Laurence W.
Zensinger
Phone: 202 646-4262

RIN: 3067-AC39

3580. ENVIRONMENTAL CONSIDERATIONS/CATEGORICAL EXCLUSIONS

Priority: Substantive, Nonsignificant

CFR Citation: 44 CFR 10

Completed:

Reason	Date	FR Cite
Final Action	02/05/96	61 FR 4227
Final Action Effective	02/05/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Rick Shivar
Phone: 202 646-3610

RIN: 3067-AC41

3576. ENVIRONMENTAL CONSIDERATIONS/CATEGORICAL EXCLUSIONS (CATEX)

Priority: Substantive, Nonsignificant

CFR Citation: 44 CFR 10

Completed:

Reason	Date	FR Cite
Withdrawn - Same as 3067-AC41	02/28/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Michael Hirsch
Phone: 202 646-4099

RIN: 3067-AC21

3578. REVIEW OF DETERMINATIONS REGARDING REQUIRED PURCHASE OF FLOOD INSURANCE

Priority: Substantive, Nonsignificant

CFR Citation: 44 CFR 65

Completed:

Reason	Date	FR Cite
Final Action	12/05/95	60 FR 62213
Final Action Effective	01/02/96	

Small Entities Affected: Businesses

Government Levels Affected: State,
Local

Agency Contact: Michael K. Buckley
Phone: 202 646-2756

RIN: 3067-AC38

3581. NATIONAL FLOOD INSURANCE PROGRAM; INSURANCE RATES

Priority: Substantive, Nonsignificant

CFR Citation: 44 CFR 61

Completed:

Reason	Date	FR Cite
Final Action	03/04/96	61 FR 8222
Final Action Effective	04/30/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles M. Plaxico
Phone: 202 646-3422

RIN: 3067-AC42

3577. DISASTER ASSISTANCE; INDIVIDUAL AND FAMILY GRANT PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 44 CFR 206

3579. EXEMPTION FROM GARNISHMENT FOR TEMPORARY HOUSING ASSISTANCE

Priority: Substantive, Nonsignificant

CFR Citation: 44 CFR 206.101

Completed:

Reason	Date	FR Cite
Final Action	02/27/96	61 FR 7224
Final Action Effective	03/28/96	

FEMA

Completed Actions

3582. FLOOD MITIGATION
ASSISTANCE PROGRAM

Completed:

Reason	Date	FR Cite
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Withdrawn - Duplicate 03/12/96
of 3067-AC45.

RIN: 3067-AC44

[FR Doc. 96-8414 Filed 05-10-96; 8:45 am]

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